

**MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK  
HELD ON MONDAY MARCH 6, 1995 8:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor  
Garrard R. Beeney, Trustee  
James McNiff, Trustee  
Robert H. Pouch, Trustee  
Stephen A. McCabe, Administrator  
Kevin J. Plunkett, Village Attorney  
Robert M. Bauer, Superintendent of Public Works  
Lawrence S. Schopfer, Clerk-Treasurer  
Daniel Raimondo, Police Lieutenant

The meeting was called to order by Mayor Dennis P. Flood. Mayor Flood led the attendance in the pledge of allegiance to the flag of the United States of America.

Upon motion duly made seconded and unanimously approved the Village Board approved adoption of the minutes of the Village Board meeting held on February 21, 1995.

Mayor Flood invited public comment. Stuart Goldberg, Captain of the Irvington Volunteer Ambulance Corps, reported that the Kops & Kids Basketball game on Friday March 3rd was a great success which raised approximately \$1,100 for the IVAC.

Mayor Flood read a letter from resident Patricia L. Mulvey, a copy which is attached hereto as a part of these minutes.

Mayor Flood reconvened a public hearing regarding a proposed amendment to the Village Amusement Devices Law providing that the Board of Trustees may authorize an increased number of these devices on such conditions as deemed necessary to effectuate the health, safety and welfare of the community.

Mayor Flood read a letter from Leo Penzine withdrawing his request to install additional video amusement devices at his corner store.

Mr. Michael Cornman stated his support of Mr. Penzine and urged him to reconsider his withdrawal and stated if additional video games would not be located there that they might be in some other location.

Brenda Livingston stated that to not give consideration of permitting additional video games at least a try sends a terrible message, and regardless of Mr. Penzine's withdrawal we should still consider the matter.

James Brennen stated his agreement with Mr. Cornman and Ms. Livingston and noted that the Recreation Commission, of which he is Chair, felt that additional video games in the Village was a worth while idea at least on a trial basis.

Barbara Wright stated that she is glad that additional video games would not be a Leo's store but thinks a program allowing more elsewhere would be worth a try. She suggested the Irvington Recreation Center.

Michael Smith stated that the consideration should have nothing to do with Leo Penzine's proposal and that consideration should be given to having video games at the Recreation Center.

Kathy Fisher stated that there was nothing personal involved with respect to Leo Penzine.

Joseph Archino, Superintendent of Parks and Recreation stated that it was the Recreation Department's determination that consideration of additional video games should be given within a six month trial period to see if it might help in addressing the needs of Irvington youth. He stated that the needs for such options is growing and that an additional three to seven games would have no impact on the Village as a whole.

Diane Lowry stated that she hopes that this experience would be positive in terms of encouraging more citizen involvement.

Bonny Moss stated that there is an underlying problem that video games don't solve and that maybe we should think of something else. She also stated that she did not want to see an arcade at Irvington's crossroads, i.e. Main Street and Broadway.

Lee Richardson stated that a hangout for kids was needed and that six video games would not pose a threat.

Mr. Terry Mann stated that the old boys approach to dealing with this matter in response to Mr. Penzine's request didn't sit well with him.

Trustee Beeney stated that there are many reasons for and against this proposed local law. He stated that his biggest problem with the proposed local law is that it does not give the Village Board any reasonable mechanism for being selective among applicants. A permit may be appropriate for Mr. Penzine, but how do you exclude others? He went on to say that the proposal could be rewritten.

Mayor Flood stated that he believed that the proposed local law was a good one because it created a much needed option for children. Mayor Flood reiterated the fact he is Mr. Penzine's accountant and that he fully intended to abstain from any vote put forth. However, he has been with the issue of providing children with options from the beginning. He was at the school meeting with the psychologist and has met with the Community Advisory Board previously. Mayor Flood then asked the Board whether there is any reason to go forward with this process, such as changing the currently proposed law.

Trustee Beeney suggested that there is no reason to go forward with working on this subject since Mr. Penzine has withdrawn his request for an increased number of units in his location. Trustee Beeney went on to say that there could be constructive modifications made to the current proposal such as limiting the number of machines at any location and in the Village as a whole, but he reiterated that he saw no need to continue on this issue.

Trustee McNiff urged Mr. Penzine to reconsider his withdrawal letter and put in another application for increased machines and possibly modify the proposed legislation in some way.

Trustee Pouch stated that he was taken by surprise by Mr. Penzine withdrawal letter of 3/6/95. He stated that this issue has two distinct sides, both of which hold an equal amount of weight. He went on to thank Mr. Penzine for his efforts.

Bonny Moss reiterated the fact that none of what was said in the hearing was directed personally at Mr. Penzine.

David Walsh stated that it is up to the parent to decide where the children spend their money and that it is time for parents to be parents.

Brenda Livingston asked why the law was first put into place. Mayor Flood responded by stating that there were many reasons back in the early 1980's. He wrapped up his comments by stating that the Board may look at changing the proposal.

There being no further comments on this matter, Trustee Pouch made a motion to close the public hearing. Trustee McNiff seconded the motion and the public hearing was closed unanimously.

The next public hearing involving Cortex Corporation is adjourned at the request of Cortex Corporation.

Trustee McNiff asked Recreation Superintendent Joe Archino to report on the activities of the Recreation Department. Mr. Archino described the upcoming DARE carnival to be held May 19th and 20th. He also indicated that youth baseball enrolled over 350 participants, which is the most ever.

Trustee Pouch described the activities of the Department of Public Works. He also indicated that the Village is once again the recipient of a tree planting grant. He also stated that the Library expansion project is proceeding as expected.

Mayor Flood described the newly created Community Advisory Board and announced that a meeting was held on March 1st. Diane Lowry then gave a summary of the organization and purpose of the Community Advisory Board. Mayor Flood also suggested that consideration would be given to having more than 4 meetings a year if conditions warranted.

Trustee Beeney noted that the Irvington Police Department aided traffic control at the Tarrytown fire on Sunnyside Lane. He also noted that the Irvington 2000 committee recently had a productive meeting with Larry Dwyer of the Westchester County Association and the Westchester 2000 committee. He also described a humorous situation with the Village's legal fee recovery where the matter referred to Federal Judge Kaplan, who is an Irvington resident and was named defendant in the original lawsuit.

Administrator Steve McCabe, responding to over 40 complaints of excess deer population, indicated that there would be a meeting with a gentleman from the NYS Department of Environmental Conservation regarding deer population management. He also announced a negative declaration on a SEQRA made by the Village of Dobbs Ferry for which Irvington was notified.

Trustee McNiff made a motion to adjourn the meeting to executive session to discuss litigation and a personnel matter. Trustee Beeney seconded the motion and it was unanimously adjourned.

After reconvening from executive session, the Board discussed the potential developers put forth before the Irvington Housing Development Fund Corporation (IHDFC). After such discussions, it was the sense of the Board to recommend that the IHDFC name Future Home of Westchester to be the lead candidate for development and that it enter into a conditional contract with same.

There being no further business to conduct, the meeting was adjourned.

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Lawrence S. Schopfer, Clerk-Treasurer